

# Retention and Classification Report

**Agency:** Labor Commission. Labor and Anti-discrimination Division (580)

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**Records Officer** Sara Danielson

82946	Anti-discrimination case files
82980	Private employment agency records
07234	Wage claim files
82941	Women and minors employee standards complaint files

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82946

3

**TITLE:** Anti-discrimination case files

**DATES:** 1965-

**ARRANGEMENT:** Alphabetical by charging party surname, thereunder chronological by federal fiscal year

**ANNUAL ACCUMULATION:** 42.00 cubic feet.

**DESCRIPTION:**

These files are created in response to an individual filing a claim of illegal discrimination against a past or present employer, or against a landlord, lending institution, or other housing entity. Files are used to maintain all complaint and investigative data. Information includes: complaint forms, including personal, medical, financial, employment, statistical, personnel, familial, criminal and psychological information about the complaining party; position statements from employers, including proprietary, fiduciary, policy, personnel, asset, liability, and facility information about the employers or property; settlement negotiation records; mediator work product; witness statements; investigative plans; investigator notes and work product; general correspondence; determination and order; conciliation agreement; and any other evidence gathered during the course of the investigation. If the initial agency action is appealed, the file may also include hearing records and transcripts, attorney work product, judge's notes, subpoenas and further orders.

**RETENTION:**

Retain 4 years after case closes

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 07/2002

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82946

**TITLE:** Anti-discrimination case files

(continued)

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 3 years and then destroy.

Microfilm master: For records prior to and including 1995. Retain in State Records Center for 4 years and then destroy.

**APPRAISAL:**

Administrative Legal

The original retention required that the paper copy be retained for 3 years after case is closed and then microfilmed. The agency has no administrative need for the records beyond 2 years.

**PRIMARY CLASSIFICATION:**

Exempt UCA 34A-5-107(14)(2008)

**SECONDARY CLASSIFICATION(S):**

Private

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82980

3

**TITLE:** Private employment agency records

**DATES:** 1965-

**ARRANGEMENT:** Alphabetical by name

**ANNUAL ACCUMULATION:** 0.50 cubic feet.

**DESCRIPTION:**

These are records of all employment agencies in the State of Utah which have requested licenses for operation. Licensing by the Division of Labor/Anti-discrimination is mandatory for all such agencies operating in Utah in accordance to UCA 34-29-1, and must be renewed annually. The Division has the responsibility of reviewing the applications and either approving or denying the request. These records include the names and addresses of each partner or corporate officer or director, address of place business will be conducted, proposed name of company, affidavits, and business or occupation engaged in by each partner or corporate officer or director for at least two years prior to application.

**RETENTION:**

Retain 4 years after expiration of license.

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 11/2003

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until license has expired and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy.

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82980

**TITLE:** Private employment agency records

(continued)

**APPRAISAL:**

Administrative

**PRIMARY CLASSIFICATION:**

Public                      name of company, date of licensure

**SECONDARY CLASSIFICATION(S):**

Private.                      all other information

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 7234

3

**TITLE:** Wage claim files

**DATES:** 1965-

**ARRANGEMENT:** Numerical.

**ANNUAL ACCUMULATION:** 4.00 cubic feet.

**DESCRIPTION:**

This series contains cases involving wage disputes which may arise over unpaid wages, bad checks, unauthorized deductions, commission earnings, vacation pay, severance pay, or other such issues. Once an applicant submits a claim, the matter is investigated, and a determination is made as to its validity. If the claim is determined justifiable, a collection process is initiated

Information in this series includes the employer's name, address, phone number and type of business. It also includes the amount and type of claim, copies of company policy for vacation time, copies of bad checks, type of work performed, brief of facts of disputes, all concluding documentation, and all related correspondence. If the case has gone to hearing, the hearing order, transcripts, and all related correspondence will also be included.

**RETENTION:**

Retain 10 years after date of closing.

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/2003

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 7234

**TITLE:** Wage claim files

(continued)

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 3 years after date of closing and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

Microfilm master: Retain in State Records Center for 10 years after closing and then destroy.

Microfilm duplicate: Retain in State Records Center for 10 years after closing and then destroy.

Paper: Retain in Office for 3 years after date of filing and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

Microfilm master: Retain in Archives for 10 years and then destroy.

Microfilm duplicate: Retain in Archives for 10 years and then destroy.

**APPRAISAL:**

Administrative

**PRIMARY CLASSIFICATION:**

Public                      Final decision on claims

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 7234

**TITLE:** Wage claim files

(continued)

**SECONDARY CLASSIFICATION(S):**

Private.	All other information. Information is opened to claimant and respondent
Controlled.	Judges notes (in case of hearing)



**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82941

3

**TITLE:** Women and minors employee standards complaint files

**DATES:** 1965-1991

**ARRANGEMENT:** Alphabetical by name

**ANNUAL ACCUMULATION:**

**DESCRIPTION:**

These are cases involving disputes between employers and employees regarding women and minor labor standards. An individual making a claim fills out a complaint form to be submitted to the division of Labor/Anti-discrimination. Once the form has been submitted, the respondent to the claim must submit a statement in writing, and an attempt is made to come to an agreement regarding the claim. If no agreement can be reached, an investigation may be initiated, and the case may go to hearing. The file includes the original complaint, all necessary forms, statements from the respondent, possibly information regarding the complainant and the workplace (such as copies of personnel files or payroll checks), all concluding documentation, date investigation was completed (if any), and all related correspondence. If the case goes to hearing, also included will be orders for hearing, transcripts of the hearing, and an order from the Commission.

**RETENTION:**

Retain 8 years.

**DISPOSITION:**

Transfer to the State Archives with authority to weed.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 09/1988

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 3 years after case is closed and then

**AGENCY:** Labor Commission. Labor and Anti-discrimination Division

**SERIES:** 82941

**TITLE:** Women and minors employee standards complaint files

(continued)

microfilm.

Microfilm master: Retain in Office for 2 years and then transfer to State Records Center. Retain in State Records Center for 3 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

Administrative Historical

**PRIMARY CLASSIFICATION:**

Public                      all final decisions

**SECONDARY CLASSIFICATION(S):**

Private.                      all other information. All information included in these records are open to both the claimant and respondent

Controlled.                      judges' notes (in case of hearing)